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| 09/373,240 | 08/12/1999 | GUY FOUQUET | Q055315 | 2369 |

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SUGHRUE MION ZINN MACPEAK & SEAS PLLC
2100 PENNSYLVANIA AVENUE N W
WASHINGTON, DC 200373213

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| EXAMINER |
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LUDWIG, MATTHEW J

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| ART UNIT | PAPER NUMBER |
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2178

DATE MAILED: 04/21/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/373,240

Applicant(s)

FOUQUET ET AL.

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-7, 9, 10, 13 is/are rejected.
- 7) ☒ Claim(s) 4, 8, 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications. Request for Reconsideration filed 2/6/04.
2. Claims 1-13 are pending in the case. Claims 1 and 5 are independent claims.
3. Claims 1-3, 5-7, 9, 10, and 13, remain rejected under 35 U.S.C. 103(a) as being unpatentable over Rosch.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3, 5-7, 9, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosch, Peter "Reviewing two Multimedia Presentation (quasi-) Standards", IEEE, Copyright 1996.**

In reference to independent claim 1, Rosch teaches:

A system for accessing multimedia documents from access means based on different platforms, the multimedia document including data which describe the relationships between the contents of the respective multimedia document and the dynamic behavior of the document contents (compare to "*describing said multimedia document in a description language*"). See Rosch, pages 143-144.

Feature of MHEG include specific interaction structures for real time interchange of multimedia data, composition and synchronization of multimedia data in space and time, linking between element of composite multimedia objects and reuse of multimedia data in different

contexts (compare to “*having multimedia document interpreted by said software module/browser*”). See Rosch, page 143.

Rosch teaches link objects, which express interactive behavior in a multimedia presentation and consist of trigger conditions and action objects. The trigger conditions can be described using simple logical operations (compare to “*ECA formalisms being interpreted dynamically so as to enable the multimedia document to vary*”). See Rosch, page 143. The reference does not explicitly disclose a means for providing *ECA formalisms* being interpreted dynamically so as to enable the representation of a multimedia document to be varied. However, the Examiner notes that (as presently claimed) the event-condition methods, which directly affect the multimedia document, would have provided a proficient means of varying a multimedia document. Because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the event-condition methods taught by Rosch provide a reasonable interpretation of the limitations within the claim.

The *ECA formalisms*, as presently claimed, do not preclude the Examiner from utilizing the interactive methods of Rosch to teach a similar formalism for interactive document exchange. The MHEG Descriptive Language includes specific interaction structures for real time interchange of multimedia data, composition and synchronization of multimedia data in space and time, linking between elements of composite multimedia objects and reuse of multimedia data in different contexts. The Examiner notes this is one way of achieving the sample scenario. The MHEG method provides a reasonable suggestion of a hierarchy of elements utilized by the MHEG engine and in the creation of objects, which perform similar actions and contain various conditions. Because the claim limitations are to be given their broadest reasonable interpretation

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within the scope of the art, the MHEG methods and authoring tools taught by Rosch provide a reasonable interpretation of ECA *formalisms* as

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Rosch before him at the time the invention was made, to modify the multimedia document methods to include the event condition application methods for varying multimedia documents, because it would have provided enhanced dynamic capabilities utilizing software applications.

In reference to dependent claim 2, Rosch teaches:

Creating the presentation elements does not mean that all three images are visible at the same time. The reference demonstrates the relationship among elements within the coded multimedia presentation document. The element names taught by Rosch demonstrate a proficient technique for identifying (as presently claimed) associations between elements and formalisms. See Rosch, page 143-144.

In reference to dependent claim 3, Rosch teaches:

The MHEG object representation method provides an alternate notation of SGML is provided at the top of page 143 as well as MHEG extensions for Scripting language support. The reference does explicitly point out a scripting language, which complies with the XML Recommendation; however, SGML provides the framework for markup languages. XML is an extension of SGML and would have been an obvious inclusion to one of ordinary skill in the art, because it would have provided enhanced naming conventions within the framework of the SGML markup language.

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In reference to independent claim 5-7 and 9, the limitations reflect similar limitations for performing the methods as claimed in Independent claim 1-3, and in further view of the following, is rejected along the same rationale.

In reference to dependent claim 10, Rosch teaches:

The elements within a multimedia document have to be in a on or off state for an event to occur. See Rosch, page 143-144. The Examiner notes that a behavior of an element does not provide a specific action and therefore a button being pressed would have provided a proficient action or behavior of an element.

In reference to dependent claim 13, Rosch teaches:

Links are needed for all transitions of each button element. The link specifying the transition from highlighted to pressed contains additional actions in order to enter another state of the scenario.

Allowable Subject Matter

6. Claims 4, 8, 11, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments filed 2/6/04 have been fully and carefully considered but are not persuasive.

Applicant argues on page 4 of the Request for Reconsideration that the primary reference, Rosch, does not teach or suggest the limitation of independent claim 1. Applicant further states that the mere existence of an action and a condition does not equate to an ECA formalism.

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However, The Sample Scenario section on page 141 of the reference provides a reasonable suggestion of multimedia documents utilized for interactive applications. The user may select various buttons to give the added benefit of dynamic features within the interactive application. Rosch teaches link objects, which express interactive behavior in a multimedia presentation and consist of trigger condition and action objects. The ECA *formalisms*, as presently claimed, do not preclude the Examiner from utilizing the interactive methods of Rosch to teach a similar formalism for interactive document exchange. The MHEG Descriptive Language includes specific interaction structures for real time interchange of multimedia data, composition and synchronization of multimedia data in space and time, linking between elements of composite multimedia objects and reuse of multimedia data in different contexts. The Examiner notes this is one way of achieving the sample scenario. The MHEG method provides a reasonable suggestion of a hierarchy of elements utilized by the MHEG engine and in the creation of objects, which perform similar actions and contain various conditions. Because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the MHEG methods and authoring tools taught by Rosch provide a reasonable interpretation of ECA *formalisms* as stated independent claim 1.

The Applicant argues on page 4 that a hierarchically organized set of elements has not been established by the teachings of Rosch. However, mention is made on page 143 of the primary reference, of a class hierarchy of object classes within the application. The applicant does not provide a description of how the hierarchically organized sets of elements were formed or how they are utilized within the ECA methods. The hierarchical elements, as presently claimed, do not preclude the Examiner from utilizing composite objects used for structuring and

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illustrated in Figure 2, on page 143, as a description of a hierarchically-organized set of elements.

In reference to dependent claim 2, the composite object, which contains all information about the start page and the information page provides the suggestion of an identifier. It is unclear to the Examiner what type of identifier is being used based on the language of the claim. Therefore, because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the composite object provides a reasonable suggestion of an identifier of the start page and information page. See page 143 of the Rosch reference.

In reference to dependent claim 3, the MHEG object representation method provides an alternate notation of SGML is provided at the top of page 143 as well as MHEG extensions for Scripting language support. The reference does explicitly point out a scripting language, which complies with the XML Recommendation; however, SGML provides the framework for markup languages. XML is an extension of SGML and would have been an obvious inclusion to one of ordinary skill in the art, because it would have provided enhanced naming conventions within the framework of the SGML markup language.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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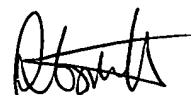
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
April 15, 2004



STEPHEN S. HONG
PRIMARY EXAMINER